

THE BLOOMFIELD CITIZEN.

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PRICE FIVE CENTS

"SWAT THE BANK."

HALSEY M. BARRETT'S METHOD OF DIS-
POSING OF PROTESTS AGAINST THE
SAVINGS BANK ENCROACHMENT.

Sophistic Attempts to Blind the People Against Indisputable Proof that the Savings Institution's Building has Illegal Possession of Public Property in Broad Street.

For the trite and felicitous expression "Swat the bank," we acknowledge ourselves indebted to Mr. Halsey M. Barrett, who made use of it when appearing before the Town Council last Monday night, as counsel for the Bloomfield Savings Institution, in the course of certain remarks made by him as arguments in favor of continuing and perpetuating a "special privilege," consisting of occupying with a part of its new building a goodly portion of the sidewalk, approximately twenty-seven inches, on the easterly side of Broad street, in this town. Just what Mr. Barrett meant by "swat" we are at a loss to know. Our office copy of a reprint of Noah Webster's dictionary, originally published about the "forties," defines it as an obsolete word, used by Geoffrey Chaucer, who lived somewhere about 1300, and states that it then meant "to sweat," or to perspire freely. Our recollection is that last summer we saw and heard the word coupled with "the fly," and our understanding was that the result, to the fly, was to be, far more serious than mere perspiration. But in its more modern sense and application it would certainly have no reference to the bank as a business house, for it is well known and everywhere conceded that the Bloomfield Savings Bank is one of our most honored and stable financial institutions. Neither could it apply to the main body of the bank's new building, because we are bound to admit that it is a well-built modern structure. We are therefore forced to the conclusion that Mr. Barrett referred only to that portion of the new building which seems to occupy and trespass upon the public highway, and, if so, which we are advised, is termed in law a public nuisance. At any rate, in this last sense "Swat the bank" sounds well and is "catchy." Since last Monday night we have heard it often and many of our citizens seem in earnest when they

Bloomfield, like other ancient settlements, has been and is a state of evolution. Shortly after the town was incorporated, about 1860, it became apparent that modern improvements demanded better landmarks for streets, curbs and property lines than decayed fences, posts, corners of ancient buildings, rotting trees, heaps of stones and the like, to which reference is made in the old deeds, and the council had the streets monumented. The monuments are mostly substantial stones, three feet or so long and six or eight inches square and are set on end in the highways outside of the property lines and in most instances in the sidewalk. They are usually set at corners and angles in the streets and are generally set three feet outside of the property, or fence line. The tops of some are under the paving or flag-stones, and some protrude through holes cut in the flag-stones, and they are a source of convenience or confusion, as the case may be, to any surveyor in determining private property, street and curb lines. They can always be found with more or less difficulty. We recall one in particular which protruded some five or six inches above the remains of a cinder sidewalk, which could be very readily found by any foot passenger even in the dark. The straight lines between the several monuments are called monumental lines.

For some reason, or lack of reason, unknown to men and angels, one of those monuments was placed in the sidewalk on the easterly side of Broad street, about three feet outside of the deed line in front of the Castle building at the southerly end of Broad street. This, like all the other monuments, was intended solely as a convenient point from which to work, and its exact location, with reference to the property or deed line, could easily be ascertained by any interested person in the town engineer's office. The so-called monumental line running northward from this monument terminates supposedly, we are told by the bank's engineer, somewhere on the deed line of the Horace Dodd estate, above the American House, but we have discovered no monument at that end, and we are advised that there is no monument between the one in front of the Castle Building and the one set in the Broad street sidewalk at the southerly end of the Green, near the old Peters or Nash property.

When the savings bank purchased its lot for its new building, the only improved or modern buildings on the easterly side of Broad street were the Castle and Heckel Brothers' buildings, next southerly adjoining the bank lot, and Charles W. Martin's three-story

building several hundred feet to the north. Those three buildings are all built substantially fronting on the several deed or property lines. The intermediate buildings were all erected many years ago, and are all built back from the several deed lines, following, no doubt, an ancient idea that the public had some rights in the public highway and that buildings with their approaches, steps, etc., should be constructed upon the land that the owner paid for and that was covered by his deed.

Some of the officials of the savings bank, however, had what they apparently considered a more modern and progressive idea and though they have about twenty-five feet of vacant land in the rear of their new building, they deemed it wise and expedient to build the front portion of it out on the sidewalk, approximately twenty-seven inches beyond their deed line. In attempted justification of this seizure they claimed that that unfortunate monumental line gave them about seventeen inches more than their deed gave them, and then they applied to the Town Council for a "special privilege" to build out twenty-one inches more. Without any previous notice and, as is often said, "on the quiet," and with the special aid and assistance of the then mayor, W. P. Sutphen, the council passed a resolution purporting to grant an extra eighteen inches. When the adjoining property owners heard of this resolution a strong protest was made to the bank officials, but in vain. The building was erected, nevertheless, and now stands there jutting out upon the highway and leaving but eleven feet and five inches of sidewalk in the centre of the town, which is destined to be one of the busiest points in the county.

The damage to adjoining owners is most apparent, the injury and inconvenience to the public cannot be measured and the action on part of the bank officials, who asked for the "special privilege," and of the town officials, who attempted to grant the request cannot be understood by fair-minded citizens and is almost universally condemned.

In the early deeds of "the thirties," Broad street is referred to as "the road leading from the turnpike to the village common," now called "the Green." Like similar highways in every community the street was never "laid out" by official action, but it was dedicated and appropriated to public use by the lapse of a hundred years and more, and as so dedicated has been curbed, macadamized and improved. Unfortunately the roadway from curb to curb immediately in front of the new bank building is only thirty-nine feet in width, and is entirely too narrow for present and future public needs. And the narrowing of the sidewalk by the savings bank obstruction only makes matters worse. Fortunately the roadway broadens to the north so that opposite the Martin building and above the postoffice it is nearly sixty feet from curb to curb. The usual proportion of one-fifth of the width of the highway for sidewalk on each side is nowhere observed. The westerly sidewalk from the Centre to Liberty street is approximately thirteen feet in width (entirely too narrow), while the easterly sidewalk tapers from fifteen feet at the foot of the Green to eleven feet at its now exists in front of the new savings bank. All of the old deed lines, as well as the more modern ones, appear, however, to be uniform and connected, and they form an approximately straight line from the junction with Franklin street to the Centre.

In order that the property owners along the easterly side of Broad street may make improvements commensurate with the increasing land values, it is highly important that the street lines be definitely fixed and determined and that "special privileges" be forever barred, and all be put on a common and equitable basis. To that end, *The Citizen*, in a recent issue, insisted that in fairness the savings bank building should go back to its deed line or that all buildings in the block should have a like "special privilege" of coming out a like twenty-seven inches. The bank officials were forced to take the stand that the most feasible course would be to let the others come out. If this were permitted it would naturally work a hardship upon Martin, whose improved building would thereby be damaged by being obscured, and as a result Mr. Martin and others petitioned the council to adopt and establish the so-called monumental line, as claimed by the bank's engineer, as the building line, which, as is shown above, stops short of his property. Seeing the unfairness of such a proposition, other property owners, including William A. Ritscher, Jr., who is the owner of ninety-five feet of frontage affected, secured the services of ex-Judge Skinner, who expressed their opposition at the council meeting last Monday night. The predicament of the savings bank, in any case, was so apparent that Mr. Barrett also attended the meeting in the bank's interest, and during the discussion, and after his every argument had been successfully met, answered and refuted by Judge Skinner, Mr. Barrett adopted that last argument of the defeated, personal abuse, and asserted that Ritscher was the real cause of all this trouble and that his only motive was to "swat the

bank." The remark as a slur, if so intended, passed, of course, for what it is worth. Mr. Ritscher has an interest in *THE CITIZEN* and is constantly in business relations with the savings bank, which he respects and acknowledges as an important factor in the general welfare of the town. But that respect does not impose passive submission when his own and his neighbors' interests are jeopardized and impaired and the vested rights of the public at large trampled upon.

Streets and highways in towns in this State can be laid out, widened or otherwise affected only by regularly adopted ordinances, and for this and other reasons the resolution of the council is a nullity and granted nothing. The encroachment of the bank building upon the sidewalk outside of the deed line is unwarranted and without a shadow of sanction of law or justice, and its removal should be enforced and accomplished without delay. Aside from the matter of money damage and public inconvenience, the "special privilege" feature is a dangerous and vicious precedent, which merits only general disapproval. The proposed adoption of the monumental line on the easterly side of Broad street as a building line is just as unfair as the adoption of the three-foot monumental line on other streets would be, and a contemplation of such a procedure is beyond the ridiculous.

The former council left to the present council no more uncomfortable, perplexing and important legacy than this savings bank building matter, and we are advised that it will receive most serious and careful attention. With these facts, which are all susceptible of proof, before them, our readers can view the matter from the standpoint of the public, the property owners and the bank, and form their own opinions. But in conclusion, so far as that portion of the bank building which occupies the sidewalk and highway is concerned, we most heartily join Mr. Barrett in saying, "Swat the bank."

Soldier Badly Hurt.

While crossing at temporary bridge over Toney's Brook at the Montclair-Glen Ridge line, Sunday night, Louis Muller, a United States soldier, was struck by a trolley car and severely injured. He was taken to the Montclair car barn in the car which struck him and Dr. J. Corbin Mahey of Midland avenue was called.

Dr. Mahey ordered the removal of Muller to the Mountsinide Hospital, where it was believed no bones were broken and that Muller would recover. The most serious injury, it was said, was a blow on the left side of the abdomen. It is believed that when struck by the trolley car Muller was thrown against a heavy breast-high guard rail which protects pedestrians from falling into the stream.

The accident happened about 8:30 o'clock. Muller, who is a musician in the Fifteenth United States Cavalry band, stationed at Fort Sheridan, near Chicago, was spending a thirty-day furlough with relatives in Montclair, where he had been for the last ten days. He was returning from this town to the home of his grandfather, Karl Muller, 31 Miller street, when the accident occurred.

Town Hall Project.

The following resolution adopted by the Board of Trade was read at the Town Council meeting Monday night: "Whereas, it appears to be the opinion of many taxpayers of the town of Bloomfield that the present premises devoted to the several departments and officers of the town are unsuited and inadequate for the proper conduct of its affairs; and

"Whereas, it is believed that providing a suitable building for the more adequate housing of these departments and officers will result in more efficient service to the benefit of the town, as well as add dignity to the same and will inculcate civic pride, be it

"Resolved, that the Board of Trade of the town of Bloomfield, at a regular meeting held on the 14th day of March, heartily recommend to the honorable mayor and council for due consideration the advisability of erecting a building to be devoted to the purposes indicated in the preamble, and that such proper action be taken which will eventuate in the erection and occupancy of said building at as early a date as circumstances will permit."

Under the joint auspices of James T. Boyd-Cornell and the Uniformed Rank, Jr., O. U. A. M., a five days' fair will begin Monday night in their hall in Glenwood avenue, the proceeds to go to the building fund of the organizations.

A Kinemacolor exhibition of the Coronation of King George V. will be given in Jarvis Memorial Hall Thursday afternoon and evening, under the auspices of the Men's Club. The afternoon exhibit is especially for children and will take place at half past three o'clock, and the admission fee for children will be ten cents and adults thirty-five cents. The evening exhibit will open at 8 o'clock and the admission will be thirty-five cents.

THIRDLY—Don't ask for more than you need; remember that your neighbors may be in the same straits that you are and, if they pay their coal bills, are entitled to equal consideration.

TOWN COUNCIL

Held a Regular Meeting Monday Night—Assessors' Reports, Petitions for Improvements and Several Complaints Acted Upon.

At a meeting of the Town Council, held March 18th, the following matters were disposed of: A resolution for Cottage place sewer was referred to the Ordinance Committee. E. S. Black requested the improvement in drainage condition on Washington street and the matter was referred to the sewer and sidewalk committee.

A resolution for granite block pavement on Glenwood avenue was rescinded, and a resolution for bitulithic pavement was adopted. The matter of removing a dilapidated building on Bloomfield avenue was referred to the legal committee. The reports of the treasurer and clerk for 1911 and collector's report for December were approved and ordered filed. The auditor's report for 1911 was received, and referred to the finance committee. The mayor, clerk and treasurer were authorized to sign several checks to pay interest on bond issue.

Membership certificates in the fire department were ordered granted to Harold Jones and S. C. Shippen and exemption certificate was ordered granted to Albert Loppacker. The lighting committee was empowered to place an incandescent light at the corner of Henry street and Glenwood avenue. Attorney Kocher rendered an opinion that under the terms of the building ordinance the council is without power to grant a permit to Mr. Comstock to erect a place a garage less than 20 feet from a dwelling house.

An ordinance for Cottage place sidewalk was given first reading. The contract for supplying broken stone was awarded to the Eagle Rock Quarry Co. Resolutions were adopted for Delaware avenue, telford; Lake street, grading; Maolis avenue blue-stone sidewalk; Weaver avenue, concrete walk; Cedar street, concrete walk, and Prospect street, concrete walk. The clerk was authorized to advertise for objections to be received April 15th.

The attention of the road committee was called to condition of gutters on Watessing avenue. The matter of cutting off Mr. Menke's property on Maolis avenue was referred to the legal committee. The mayor and sewer committee were authorized to send telegrams to all members of the New Jersey Senate, advocating the passing of the Beard bill (House Bill 114). A letter from Senator Colgate in connection with this matter was read. The clerk was authorized to notify the Dodd estate to clean Watessing avenue walk.

The water committee was authorized to purchase four tons of lead pipe and 200 galvanized reducers. The Board of Assessors were authorized to purchase books and assessment sheets. A letter complaining of water flooding furnace pits near the junction of Roosevelt avenue and Lake street was left with Mr. Albion for investigation. The fire committee reported having secured option on a horse for the Excelsior Hose Company, and that they are negotiating for other horses.

Communications from the Lackawanna Railroad in regard to the 8-04 express, the Essex County Park Commission regarding laying out parks and the Board of Trade regarding a municipal building were received, read and ordered filed. The clerk was instructed to retain 95 cent check for the Universal Development Company until they should ask for the same. The ordinance for the extension of water mains was adopted on final reading and the clerk was authorized to advertise for bids for water pipe and the specials. Action on fire limit ordinance was deferred until the next meeting.

The reports of the assessors on seven street improvements were received and ordered advertised for objections at the meeting to be held April 15th. The Clinton street telford report was referred back for investigation. The Watessing storm drain report was laid over until the next meeting. The clerk was authorized to advertise for objections to preliminary report in the matter of opening of Hoffman boulevard, to be received April 15th.

Address by Modernist.

Rev. Father Sullivan, late Catholic priest, whose book "The Priest" and "Letters to Pope Pius X" have attracted such wide attention, is to speak in Central Hall, this town, tomorrow afternoon at 4 o'clock, under the auspices of Unity Church, Montclair. Mr. Sullivan, it is said, is one of the leading, if not the foremost Modernist in this country, and a speaker of rare ability and eloquence.

Mountsinide Hospital.

The following are recent contributors to the Mountsinide Hospital: Mrs. J. G. Brown, Mr. A. N. Burnette, Mr. Allison Dodd, Mrs. Allison Dodd, Mrs. Thomas Keddie, Mrs. F. A. Stone, Mrs. Wright C. Stout, Mr. G. L. Stout, Mrs. G. L. Stout, Mr. J. M. Van Winkle.

FOURTHLY—Remember that "coal is coal" nowadays, and don't be too critical as to quality. We gratefully accept what is shipped to us, and make no complaint. We ask our customers to be equally forbearing (if necessary) while the present critical situation continues.

Death of Francis Hendricks.

Francis Hendricks, head of the firm of Hendricks Brothers, proprietors of the copper rolling mills in Soho, died at his home, No. 10 East Forty-fourth street, New York, Sunday morning from apoplexy.

Mr. Hendricks was seventy-five years of age and unmarried. He was apparently in good health on Saturday when he was at the copper mill for the first time in several weeks.

He retired at an early hour on Saturday evening and in the morning awakened his brother, Harmon W. Hendricks, by calling for help. Dr. Eugene Fuller was called and although Mr. Hendricks remained conscious until after the physician's arrival, he expired shortly after. The funeral service was held Tuesday morning and was conducted by D. de S. Pool, assistant pastor of the Shearith Israel Church, of which Mr. Hendricks was a member, and the interment was at Cypress Hills Cemetery, Long Island.

The deceased is survived by a brother and six sisters. The Hendricks family was a large one and well known in New York city.

The copper mill at Soho is one of the oldest established industries in this vicinity and has been in operation upwards of one hundred years. The family property in the Soho section was assessed last year at \$350,000.

Francis Hendricks was a well-known figure at the State House in Trenton and he was in attendance at the House Committee hearing on the Beard bill.

One of his chief objects at Trenton, however, was the killing of annexation bills. For a number of years past Mr. Hendricks has successfully checked bills for the annexation of Belleville or parts of that town to Newark. Pending final action on Belleville annexation measures Mr. Hendricks made a practice of making friends with every one about the State House. He spent money freely, and it was charged that during the sessions he maintained a lobby and virtually established a bar in the State House, at which State officials were entertained. Upon another occasion, it is declared, he distributed boxes of candy and kid gloves among the girls employed in the State House. To Hendricks's influence many attribute the defeat of the bills.

Although no bill to annex Belleville to Newark had been introduced this year, Mr. Hendricks was as active as in previous years around the State House. He remained there all of last week up to Thursday. During the week he was telling a party of friends how he had been fighting annexation of his town for many years. He made the remark that United States Senator Sewell, on account of his activity was wont to call him "Belleville Hendricks."

During the winter Mr. Hendricks made a practice of occupying the New York house. He contemplated coming to Belleville in June to spend the summer on his large estate there. In the town he was a well-known figure. Politically, the Board of Education was of interest to him, and at the last district meeting voters taken to the polls by his wagons turned the tide at the eleventh hour and defeated a ticket that was expected to be unopposed. At previous school elections he had also shown activity in turning out of the board men whom he looked upon with disfavor.

Up to the Governor.

The Beard bill, giving this town and Belleville the right to say whether the proposed sewage disposal plant of Montclair and East Orange in the Soho section of this town and Belleville, passed the Senate Wednesday night with only two senators, Fielder and Slocum, voting against it.

Senator Colgate declined to vote for the reason that half of his county wanted the bill and he felt opposed to it. Senator Johnson of Bergen made a speech for the bill, in which he declared that he did not think it would be fair for the Oranges and Montclair to put the burden of their sewage disposal plant on Belleville and Bloomfield in order to avoid going into the Passaic Valley trunk sewer.

A hearing on the bill was held before the senate committee on Wednesday morning, at which there was a large attendance and Mayor Hauser headed a big delegation from this town.

Before signing of vetoing the bill, Governor Wilson at the request of Henry T. Stetson of Orange will give a hearing on it to all the municipalities for it and against it.

Board of Education.

The Board of Education held its regular monthly meeting Monday night and spent much time in the consideration of matters pertaining to the new high school building.

E. S. Storer was reappointed a teacher in the high school.

It was decided to offer the position of supervisor of elementary grades to Miss Ida Robinson, principal of the Fairview School.

Miss E. Ruth Palmer was engaged as a teacher.

Members of the Princeton Alumni will hold a banquet in the Hotel Montclair next Friday night.

FIFTHLY—Bear in mind that the coal dealer has to PAY HIS BILLS MONTHLY or go without coal. Is it difficult to see how you can help him and at the same time help yourself?

BROAD STREET LINE.

SUBJECT OF DISCUSSION AT TOWN COUNCIL MEETING.

An Alleged Monumental Line Claimed as Justifying the Savings Bank Encroachment—Judge Skinner Shows that Line is Only Myth—Bank's Position Has No Legal Status.

The Broad street building line was discussed at considerable length at the Town Council meeting Monday night. Edwin A. Rayner, Halsey M. Barrett and Judge Alfred Skinner appeared for the respective parties interested and made statements.

Mr. Rayner was the first speaker and in the course of his remark was very careful to say that in regard to the Broad street line he was speaking from memory only, and he several times repeated that he was surprised at the form of the resolution presented by Judge Skinner at a previous meeting of the council, and he claimed that there was an error in that resolution as to a matter of fact relating to the exact location of the columns and steps of the bank building.

The resolution of 1909 gave the bank the privilege to go out eighteen inches, but an investigation showed that the bank only used eleven inches of its privilege and that the columns were flush with the monumental line and the pedestals and steps were out beyond that line eleven inches.

Mr. Rayner said that as he remembered it, the Township Committee established the Broad street monumental line in 1891. Previous to that time Broad street, he said, never had any legally defined lines, to his knowledge. It never was laid out in accordance with any legal method. It was one of the oldest streets in the town and was formerly known as the Paterson road.

The Township Committee Mr. Rayner said, if memory served him right, had the question of a building line on the east side of the street before it in 1891 when a new building was to be erected. The owner of the building, he said, came before the committee, and asked to have the building line fixed. The line fixed by the Township Committee in 1891, according to his recollection, was established by Olmstead & Cady and was accepted by property owners and buildings erected to conform to it. The line has stood for twenty years, Mr. Rayner said, but the deed lines of property were not in accord with it.

Mr. Rayner claimed that to chance the line of Broad street, as proposed in Judge Skinner's resolution, would work an injury to property owners who had built on a line of twenty-one years' standing and departure from that line, Mr. Rayner said, would be followed by litigation.

The following petition was submitted by Mr. Rayner:

"We the undersigned, owners of property on the east side of Broad street, Bloomfield, N. J., on the block between Franklin street and Bloomfield avenue, representing 335 feet of the total 575 feet on said block, respectfully request your honorable body to confirm and fix as the permanent building line on said block, the building line surveyed and laid out by Olmstead & Cady in 1891, and designated by monuments still in the same locations as placed by them, which survey and monumental line were accepted and approved by the then Township Committee, and on which line the new buildings erected since that time have been placed. Signed: Charles W. Martin, The Real Estate & Improvement Co., Estate of Horace Dodd, Fred Castle."

Following Mr. Rayner Halsey M. Barrett said he was glad of an opportunity to make a statement about the bank matter. Mr. Rayner's statements with respect to the building line of 1891, Mr. Barrett said, were in all respects correct. Citing from the town records, Mr. Barrett said that in August, 1891, specifications for proposals for making grade maps of the streets in the town were ordered prepared, and at a Township Committee meeting in September of that year, the specifications were submitted, approved and adopted, and two weeks later bids for making the maps were received. County Engineer James E. Owen was retained by the Township Committee to confer with Messrs. Olmstead & Cady, the engineers to whom the contract for the maps was awarded. After the maps were completed Mr. Owen was again employed to make an inspection of the work, and in 1895 a letter from Mr. Owen to the committee stated that the maps were correct and the maps have been the authority in matters of street lines ever since.

The savings institution in 1891, Mr. Barrett said, decided to purchase the lot on which the bank building has been erected and in 1908 found it desirable to build. The application by the bank managers for a permit to extend out on to the sidewalk was reviewed by Mr. Barrett and he contended that the permit

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SIXTHLY—Note that in case of strike, prices are not likely to go down this spring. The few advance orders we have taken will be filled at present prices. All other orders which we may accept will be subject to future developments.

Bloomfield Coal and Supply Co.

How to Obtain a Supply of Coal.
FIRSTLY—Look over your accounts and if you find you owe anything to the BLOOMFIELD COAL & SUPPLY CO., sit right down and draw a check for the amount due.

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